PURPOSE

Northshore Technical College (NTC) considers harassment and discrimination to be a serious offense. NTC in accordance with the EEOC, Office of Civil Rights and state regulations, adopted this policy to define harassment, including sexual harassment, procedures for investigating harassment claims and remedy of violations. The Equal Employment Opportunity Commission, the Office of Civil Rights and state regulations prohibit harassment, including sexual harassment and other forms of unlawful acts of harassment. This policy applies to all unclassified employees, classified employees, students, faculty, vendors and clients of the NTC.

SCOPE AND APPLICABILITY

This policy applies to all NTC employees, and to all individuals who, while not NTC employees, perform work at NTC for its benefit.

Employees are the State's most valuable resource; and employee safety and security are essential to carrying out their responsibilities. Every employee has a reasonable expectation to perform his/her assigned duties in an atmosphere free from threats and acts of violence. Recognizing the increasing incidents of violence in the workplace, the Governor of the State of Louisiana issued an Executive Order MJF 97-15 committing the State to work towards a violence free workplace for State employees. Northshore Technical College fully supports this effort.

DEFINITIONS

Sexual Harassment – Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communications deemed to constitute harassment of a sexual nature. Sexual harassment interferes with work performance when:

− Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment
Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or

Such conduct has the purpose and effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.

Workplace Harassment – Persistent aggravating annoyance that infringes on an employees’ right to a comfortable work environment. Harassment is a form of misconduct that undermines the integrity of the employment relationship. No employee – male or female – is to be subjected to unsolicited and unwelcome overtures or conduct, verbally, visually, physically or by electronically transmitted means.

Harassment – Physical, verbal and visual conduct that creates an intimidating, offensive or hostile environment. This includes, but is not limited to: harassment because of race, color, sex, sexual orientation, religion, creed, age, national origin or ancestry, marital status, disability status, medical condition, veteran status or any other basis protected by federal, state or local government, ordinance or regulation. Examples of Harassment:

Explicitly or implicitly requiring an individual to provide sexual favors, dates or other social engagements as a term or condition of employment

Demands or suggestions of sexual favors or acts as a basis of employment decisions affecting him/her, such as promotion, wage increases, assigned duties, shift assignment or any other condition of employment

Actions or behavior having the effect of unreasonably interfering with an individual’s work performance or creating and uncomfortable, intimidating, hostile or offensive work environment

Unwelcome requests for sexual favors, dates or other social engagements

Unnecessary or inappropriate touching of an individual

Unwelcome or inappropriate use of vulgar language of a sexual nature, sexual gestures or humor

Unwelcome, inappropriate or graphic remarks about an individual’s sexuality or sexual experience directed to an individual or another individual

Displaying sexually oriented photographs, magazines, cartoons or other visual materials, bringing such materials to read, display or view at work

Displaying signs or other materials attempting to segregate an individual by sex within the workplace

Explicit or degrading verbal comments, suggestions or slurs about an individual’s appearance

INDIVIDUAL RIGHTS

Harassment imposes on an individual’s right to have a comfortable and suitable work environment. Individuals must refrain from any form of harassment and should always treat others with respect. Sexual harassment can involve males or females being harassed by member of either sex. Although sexual harassment usually involves a person of greater authority, individuals in positions of lesser or equal authority have engaged in prohibited behavior.

REPORTING HARASSMENT

If an individual believes he/she has been the subject of harassment, he/she should make their unease or disapproval
known to the harasser; make a written record of the date, time, nature of the incident and name of witnesses; and/or report the incident to their immediate supervisor and NTC Director of Human Resources. All incidents of harassment should be reported regardless of the seriousness with urgency. The complainant is not required to report the incidents to the person engaging in such harassment.

APPOINTED AUTHORITY

An Appointed Authority who knowingly tolerates or allows harassment to exist or a hostile working environment to occur, and who fails to report or respond appropriately will be subject to disciplinary action up to and including termination. The Appointed Authority should notify the NTC Director of Human Resources.

INVESTIGATION OF COMPLAINTS

Complaints of harassment are to be investigated expeditiously. To obtain information and facts, the complainant, respondent and witnesses will be interviewed. The empowered investigator must present a written report with recommended remedial measures based upon results of the investigation. The NTC will not tolerate any type of retaliation against any of the investigation parties. Adequate steps will be taken to ensure the complainant is protected from retaliation during the investigation process. A record of the investigation report must be included in the respondent’s personnel file, if it is determined during the investigation he/she engaged in prohibited conduct.

NON-COMPLIANCE

Individuals who violate this policy will be subject to disciplinary action up to and including termination. Persons who violate this policy may also be subject to civil damages or criminal penalties.

Northshore Technical College (NTC) prohibits unlawful harassment of employees and students.

Statutes 23:301, 312, 332
LCTCS Policy # 6.011 Harassment Policy

Review Process:

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